IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE EIGHTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

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WRIT PETITION NO : 11494 of 2004

Between:

1 C.H. Divakar Reddy, S/o. Jayarami Reddy, aged 52 years,
R/o. H.No. 6-445-2, Sankarapuram, Cuddapah Town, Cuddapah

District.
2 V. Kullayappa, S/o. Musalappa, aged 75 years,
R/o. 4-40, Chinnamasupalli, Chennur Mandal, Cuddapah District.

..... PETITIONERS

AND

1 The District Collector, Cuddapah, Cuddapah District.
2 The Revenue Divisional Officer, Cuddapah, Cuddapah District.
3 The Mandal Revenue Officer, Chennur Mandal, Cuddapah District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ or order or direction particularly in the nature of Writ of Mandamus declaring the action of the respondents in not granting assignment to the petitioners who are Ex-servicemen in Sy.No.405 an extent of Ac.4-95 cents and Sy.No.406/2 an extent of Ac. 5-00 situated at Chinnamasupalli Village, Chennur Mandal, Cuddapah District to the petitioners respectively as illegal, arbitrary and unconstitutional though the petitioners are senior members and consequently direct the respondents to grant assignment to the petitioners immediately.

Counsel for the Petitioners :MR.G.DASARADHA RAMI REDDY, Advocate

Counsel for the Respondent Nos.1 to 3: GP FOR REVENUE

The Court at the admission stage made the following :

ORDER:

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Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue and at their request, the writ petition itself is taken up for final disposal at the admission stage.

In this writ petition the petitioners, in effect, seek a direction to the third respondent-Mandal Revenue Officer, Chennur Mandal to grant assignment of agricultural lands in their favour.

The petitioners claim to be Ex-servicemen. It is alleged that the first petitioner on 16-12-2002 and the second petitioner on 5-2-2004 submitted applications for assignment of Ac.4-95 cents in survey No.405 and Ac.5.00 in Survey No.406/2 of Chinnamasupalli village, Chennur Mandal of Kadapa District, in their favour respectively, to the Zilla Sainik Welfare Officer, Kadapa, who forwarded the applications to the first respondent-District Collector, Kadapa, who in turn forwarded them to the third respondent-Mandal Revenue Officer, Chennur Mandal for consideration and necessary action. The grievance of the petitioners is that the third respondent has not taken any action on their applications so far, but on the other hand, considered the application of their junior whose application was forwarded in the month of April, 2004 to him. Hence, the writ petition.

Having regard to the facts and circumstances of the case and in view of the fact that the applications submitted by the petitioners are pending consideration with the third respondent, I deem it appropriate to direct the third respondent-Mandal Revenue Officer, Chennur Mandal, Kadapa District to consider and dispose of the applications of the petitioners, dated 16-12-2002 and 5-2-2004, expeditiously by passing appropriate speaking orders thereon, if not already disposed of.

With the above direction, the writ petition is disposed of. No costs.

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N.V. RAMANA, J.

July 8, 2004.

YS/SVV

To

1 The District Collector, Cuddapah, Cuddapah District.
2 The Revenue Divisional Officer, Cuddapah, Cuddapah District.
3 The Mandal Revenue Officer, Chennur Mandal, Cuddapah District.

4 Two CCs to the Government Pleader for Revenue, High Court

Buildings, Hyderabad (O.U.T)

5 Two CD copies.